



## **Proposed Plan**

**Nutting Truck and Caster Company Superfund Site  
City of Faribault  
Rice County, Minnesota**

**July 2010**

**The Public Comment Period for this Proposed Plan will run from**

**July 15 to August 13, 2010**

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## **Glossary**

### **Administrative Record**

A file maintained by EPA that contains all information used by EPA to make a decision pursuant to its authority under the Superfund law. The Agency makes the administrative record available for public review. For the Nutting Truck and Caster Site, the EPA Administrative Record is available at EPA Region 5 office in Chicago and at the MPCA offices in St. Paul, Minnesota.

### **Capping**

A technology to address landfills which contain hazardous wastes. Capping involves placing clean materials over the contamination to isolate it from the surrounding environment. The cap materials are layered and constructed so that the cap is impermeable to rain or snow, thus restricting the contaminants from leaching into the groundwater.

### **Cleanup or Remedial Action (RA)**

Actions taken to deal with a release or threatened release of hazardous substances that could affect public health or the environment. The term is often used broadly to describe various response actions or phases of responses.

### **Clean-up Levels**

A set of clean-up target levels to be attained for specific contaminants when cleaning up a site.

### **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**

A federal law passed in 1980 and modified in 1986 by the Superfund Amendments and Reauthorization Act. The Acts, which can be found starting at Section 9601 of Title 42 of the U.S. Code, created a special tax that goes into a Trust Fund, commonly known as Superfund, which is used to investigate and cleanup abandoned or uncontrolled hazardous waste sites. The special tax expired in 1995.

### **Health Risk Limits**

Under the Groundwater Protection Act of 1989, the Minnesota Department of Health protects public health by developing and establishing Health Risk Limits (HRLs) for contaminants in drinking water. The HRL is the concentration of a chemical in drinking water that is likely to pose little or no health risk to humans. MDH develops HRLs using the best science available at the time.

### **Institutional controls (ICs)**

There are many different types of ICs that can be used at a site, although the two major types are governmental controls and proprietary controls. Governmental controls are ICs implemented and enforced by a state or local government, such as zoning restrictions, ordinances, statutes, building permits, or other provisions that restrict land or resource use at a site. Proprietary controls are property use restrictions issued by property owners, such as easements and covenants. These controls are placed in the chain of title of the site or property.

**Maximum Contaminant Levels (MCLs)**

Under the Safe Drinking Water Act, EPA sets national standards for contaminants in tap water to ensure consistent quality in public water supplies. Under these standards, MCLs are set for each chemical in order to maintain safe drinking water. MCLs are conservative levels based on the potential for adverse health effects to occur from a life time of exposure to contaminants in drinking water. MCLs also consider the cost and ability to detect and treat these contaminants.

**Minnesota Environmental Response, Compensation, and Liability Act (MERLA)**

The Minnesota State Superfund law [Minn. Stat. § 115B.17 (2008), and Minn. R. ch. 7044 (2006)] authorizing the investigation and cleanup of abandoned or uncontrolled hazardous waste sites. This law is similar to EPA's CERCLA statute.

**Minnesota Pollution Control Agency (MPCA)**

The State pollution control agency authorized to carry out the state Superfund program.

**National Priorities List (NPL)**

A federal roster of uncontrolled, contamination sites that actually or potentially threaten human health or the environment and are eligible for extensive, long-term investigation and cleanup under the Federal Superfund program.

**Permanent List of Priorities (PLP)**

The Minnesota State list of uncontrolled, contaminated sites that actually or potentially threaten human health or the environment and are eligible for extensive, long-term investigation and cleanup under the State Superfund program. Under MERLA, the MPCA can propose the listing of such sites to the State Superfund Priority List, also known as the Permanent List of Priorities.

**Potentially Responsible Party (PRP)**

Parties that have been found to be potentially legally responsible for contamination and/or cleanup at a site. Under Superfund, potentially responsible parties can include entities (persons or companies) that are owners or operators of Superfund designated sites or those who arranged for disposal of hazardous substances at a Superfund site or transported hazardous substances to a Superfund site.

**Parts-Per-Billion (PPB)**

A unit used to quantify the amount of a contaminant in the environment. The unit is commonly used to show the concentration level of a contaminant in water, soil, and sediment. In the case of water, one part-per-billion is equivalent to one microgram-per-liter (ug/L). For example, to express the concentration of benzene in water, one ppb of benzene is interpreted as one part of benzene for every billion parts of water. This can also be expressed as one microgram of benzene for every liter of water.

**Principal Threat**

Principal threat wastes are those source materials considered to be highly toxic or highly mobile which generally cannot be contained in a reliable manner or would present a significant risk to human health or the environment should exposure occur. Identifying principal threat wastes combines concepts of both hazard and risk. The NCP establishes an expectation that EPA will use

treatment to address the principal threats posed by a site wherever practicable [NCP §300.430(a)(1)(iii)(A)].

**Proposed Plan**

A document that describes the clean-up alternatives evaluated for a Superfund site and identifies the Preferred Alternative and the rationale for the preference. A public comment period and opportunity for a public meeting takes place after release of the Proposed Plan and before the Record of Decision.

**Recommended Allowable Limits (RALs)**

The earliest type of guidance available was the “Drinking Water Recommended Allowable Limits” or “RALs.” These were based solely on the risk of potential health effects. RALs were primarily developed for private water supplies, but were also used for public water supplies in the absence of applicable federal standards.

**Record of Decision (ROD)**

A legal document signed by EPA that describes the final cleanup remedy for a Superfund site, why the remedial action was chosen, how much it will cost, and the public comments on the remedial action.

**Remedial Investigation/Feasibility Study (RI/FS)**

A two-part study of the site. The first part is the Remedial Investigation (RI), which studies the nature and extent of the problem. The second part is the Feasibility Study (FS), which evaluates different methods of dealing with the problem and recommends a method that will effectively protect public health and the environment.

**Request for Response Action (RFRA)**

A formal MPCA Citizen’s Board request to responsible parties at State Superfund sites asking them to take specific actions at the site leading to cleanup. The RFRA describes a series of response actions to be taken at a site. These response actions are intended to prevent, minimize, mitigate or eliminate releases of hazardous substances from a site into the environment. These response actions are reasonable and necessary to protect the public health, welfare, and the environment.

**Response Action Plan (RAP)**

A Response Action Plan specifies the methods and schedules for remedial action at Minnesota state superfund sites (i.e., sites listed on the PLP). This document is similar to a statement of work specifying the methods and schedules for a selected remedial action at EPA superfund sites (i.e., sites listed on the NPL).

**Response Order**

A legal order under the authority of the State Superfund law between the MPCA and PRPs. Under the agreement, the PRPs agree to perform or pay for the cost of cleanup actions to be taken at a site. The cleanup actions can include performing a remedial investigation or response action.

**Baseline Risk Assessment**

A study conducted as part of the Remedial Investigation to determine the threats posed to human health and the environment if the site's contamination is left unaddressed. The study takes into account such factors as the contaminant's toxicity and the paths and likelihoods of exposure.

**Superfund**

The common name for the clean-up fund created by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and MERLA. It is often also used to refer to the clean-up process under CERCLA and MERLA.

**Volatile Organic Chemicals (VOCs)**

Compounds composed primarily of carbon, oxygen, and hydrogen characterized by their tendency to evaporate easily and quickly. Examples of VOCs include: trichloroethylene, 1,1-dichloroethylene, methylene chloride, benzene, and vinyl chloride. These chemicals commonly exist in such liquids as dry cleaning fluid, metal degreasers, lighter fluid, paint thinners, and components of gasoline.

# **Proposed Plan Nutting Truck and Caster Site Faribault, Minnesota**

## **I. Introduction**

This Proposed Plan summarizes information used by the United States Environmental Protection Agency (EPA) to address the groundwater and soil contamination at the Nutting Truck and Caster Superfund Site (“Nutting” or the “Nutting Site” or the “Site”) in Faribault, Rice County, Minnesota. From this information, EPA is recommending that No Further Action be taken as a final cleanup remedy for the groundwater and soil at the Nutting Site. EPA’s recommendation is based on the fact that a remedy was previously implemented at the Site by the State of Minnesota that has effectively addressed contaminated soils and groundwater both on- and offsite. The remedy provides long-term protection of human health and the environment.

This document is being issued by EPA, the support agency for the Nutting Site cleanup activities. The EPA, in consultation with the Minnesota Pollution Control Agency (MPCA), the lead agency for the cleanup, will evaluate if no further remedial action is appropriate for the Site after reviewing and considering all information submitted during the 30-day public comment period. Therefore, the public is encouraged to review and comment on this Proposed Plan. The MPCA, as the lead agency, has already deleted this Site from its Permanent List of Priorities (PLP) and concurs with EPA’s Proposed Plan of No Further Action.

EPA is issuing this Proposed Plan as part of its public participation responsibilities under Section 117(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), and Section 300.430(f)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The information presented in this Proposed Plan can be found in greater detail in the MPCA February 1987 Response Action Plan (RAP), the MPCA/EPA 2008 Five-Year Review Report, the August 2009 Site deletion document from the State of Minnesota PLP, and other documents contained in the Administrative Record file for this Site. EPA encourages the public to review these documents to gain a more comprehensive understanding of the Site and Superfund activities that have been conducted at the Site.

The Administrative Record file is available for review at the Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155 Hours: Monday through Friday, 9:00 a.m. to 4:00 p.m. A copy is also available at the U. S. EPA Region 5 office, 7<sup>th</sup> Floor Record Center, 77 W. Jackson Boulevard, Chicago, IL (Hours: Monday – Friday, 8 AM – 4 PM).

## **II. Site Background and History**

The Nutting Truck and Caster Company Superfund Site is located at 1221 Division Street in the city of Faribault, Rice County, Minnesota. The Site property consists of 8.6 acres and is bounded

on the west by Prairie Avenue and on the southeast by railroad tracks. The north property line is approximately 250 feet south of Division Street (see Figures 1 and 2) and is accessed via Prairie Avenue. Between 1891 and 1984, Nutting manufactured and distributed casters, wheels, hand trucks, and towline trucks at its Faribault plant. In 1984, the property owners, Stewart and Shirley Shaft ("the Shafts") sold the Nutting manufacturing operation to Faultless. The operation was relocated to Watertown, South Dakota as the Faultless Nutting Division of a larger corporate entity. The Shafts reconstituted their business as the Prairie Avenue Leasing Company, which currently occupies the 8.6-acre Site property.

The city of Faribault is situated at the confluence of the Cannon and Straight Rivers in Southern Minnesota. The Cannon River is about one mile north of the Site and the Straight River is located about one mile east of the Site. Faribault is located along Interstate 35 and is about 30 miles south of the Minneapolis/St. Paul metropolitan area.

Land surrounding the Site now consists of mixed low and medium-density residential, commercial, and light industrial use. The current Site property is leased for commercial and light industrial purposes. The current occupants of the property include an active manufacturing facility and warehouse, and an active welding shop. A wood shop occupying the central 60,000 square feet of the property was demolished in 1995. A vacant former foundry building sits in the northeast corner of the property. The downgradient area between the northern Site boundary and Division Street are occupied by two private residences, some office buildings and a self-storage facility. All properties adjacent to and downgradient of the Site are connected to the Faribault municipal drinking water supply. At the present time, there are no known planned land use changes for this Site or any surrounding properties.

### **III. History of Contamination and Enforcement Activities**

From 1891 through 1984 the Nutting Company manufactured and distributed casters, wheels, hand trucks and towline trucks at its Faribault facility. A surface depression was located on the south side of the manufacturing building and, prior to 1979, foundry and other wastes were deposited in the surface depression which was an abandoned gravel pit. In 1959 the company began using a seepage pit in the west central area of the Site (and the northwest corner of the surface depression) to deposit waste and sludges including waste solvents. These solvents belong to a class of chemicals commonly known as Volatile Organic Chemicals (VOCs). VOCs are used as metal degreasers during the manufacturing process. The major VOCs detected were trichloroethylene (TCE) and 1,2-dichloroethylene (1,2-DCE), a chemical formed when TCE degrades. The seepage pit covered an area of approximately 3,200 square feet and was about 13 feet deep. The upper three to four feet of the seepage pit consisted of sludge material. (see Figure 3).

Beginning in the late 1970's, the Nutting Site contamination was addressed under state law. The MPCA issued a Notice of Noncompliance ("Notice") to the Nutting Company in 1979 for their past TCE disposal practices. During the course of site activities, the Minnesota Environmental

Response and Liability Act (MERLA) of 1983 was enacted to provide MPCA with the authority to investigate and clean up releases of hazardous substances, pollutants or contaminants. MERLA requires the MPCA to establish a State Superfund Priority List, known as the Permanent List of Priorities (PLP), among sites involving the release or threatened release of hazardous substances, pollutants, or contaminants, and to update this priority list as needed. This authority [Minn. Stat. § 115B.17, subd. 13 (2008), and Minn. R. ch. 7044 (2006)] was the basis for later remedial activities at the Site under the authority of MERLA.

In response to the Notice, the Nutting Company performed a Remedial Investigation (RI) to determine the nature and extent of contamination in the soil in and around the Site. As a result of the RI, Nutting excavated the materials and contaminated soils from the former seepage pit, backfilled the excavation with clean soil, and capped the area with concrete in 1980. The excavated soils were disposed of at an offsite facility.

In October and November 1982, the Faribault municipal wells showed trace levels of contamination by TCE and 1,2-DCE. These chemicals are light and highly mobile in groundwater. On September 8, 1983, the Site was placed on EPA's National Priorities List (NPL).

Because the municipal water supply was a cause for potential concern, the MPCA issued a Request for Response Action (RFRA) to Nutting on September 22, 1983, and a Response Order by Consent ("Consent Order" or "Order") was issued on April 26, 1984. The Order required the company to conduct another RI for the groundwater and to determine if a remedial action was necessary.

Additional RIs were conducted in 1984, 1985, and 1986. The investigations showed that the shallower or upper alluvial aquifer is comprised of glacial outwash underlain by sandstone. A deeper dolomite aquifer underlies the sandstone, and is used as the regional drinking water aquifer. The hydraulic gradient of these aquifers is to the north (downgradient). The investigations showed that the contaminated groundwater that had migrated from the pit area was not the cause of the groundwater contamination at the Faribault well field. As a result of this finding, the Faribault well field was added to the PLP as a separate state superfund site. The MPCA addressed the Faribault groundwater contamination by funding the installation of a new well and abandoned the old well. Further, the MPCA concluded that a remedial action and feasibility study was not needed since the source of contamination attributable to the Nutting Site, i.e., the seepage pit soils, had been removed and disposed of in 1980.

MPCA issued a second RFRA directing Nutting to develop and implement a Response Action Plan (RAP) for groundwater remediation. This action was based on the possibility that the groundwater contamination immediately downgradient of the Nutting Site may affect the Faribault well field in the future. Nutting submitted the RAP in February 1987, which called for extraction and treatment of contaminated groundwater with continued groundwater monitoring.

MPCA issued a second Order to Nutting in September 1987 requiring it to pump out contaminated groundwater until a concentration of 50 micrograms-per-liter (ug/L) or parts-per-billion (ppb) of TCE was consistently achieved in the upper aquifer at the Nutting property boundary. EPA was not a signatory to the Order. The Nutting Company installed and began operating a groundwater extraction and treatment (pump-and-treat) system in 1987. The extracted groundwater was treated using a gravity cascade system. This system maximized the contact of VOCs with air in order to strip the contaminants from the groundwater. The treated groundwater was discharged to Crocker's Creek via the municipal storm sewer, located about 1,700 feet northwest of the Site. The discharged groundwater was required to meet standards under the National Pollution Discharge Elimination System in order to ensure that the creek surface water quality did not become contaminated by the discharges.

#### **IV. Summary of Site Risks**

Contamination found onsite affected both the soil and groundwater. The primary soil contamination was in the seepage pit where the average concentration of TCE was 0.44 milligrams per kilogram (mg/kg) or parts-per-million (ppm) and the average concentration of methylene chloride, another VOC in the seepage pit sludge, was 456 ppm. The sludge also contained heavy metals such as cadmium, chromium and lead. The soil and seepage pit provided a continual source of groundwater contamination; however, because Nutting had previously excavated and capped the area, potential risks to human health and the environment had been eliminated.

TCE was the major contaminant of concern found in the groundwater at the Site. The sampling data collected during the RI found TCE levels to be as high as 570 ug/L (or ppb) and 1, 2-DCE in shallow groundwater downgradient of the former seepage pit. The TCE levels exceeded the RAP cleanup goal of 50 ppb required by the Order.

As there are no private wells downgradient of the Site, no human health risks were posed by exposure to contaminated drinking water. The Minnesota Department of Public Health (MDH), as the agency responsible for setting and enforcing safe drinking water levels, used Recommended Allowable Limits (RALs) as conservative advisory levels to predict potential adverse effects that may result from contaminated drinking water. The RAL for TCE was 30 ppb based on the risks posed to human health from exposures to drinking water. These risks involved TCE's ability to increase the risk of cancer.<sup>1</sup> 1,2-DCE was of lesser concern as its RAL was set

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<sup>1</sup> Carcinogenic risks are generally expressed as the incremental probability of a person developing cancer over a lifetime because of exposure to the carcinogen. An excess lifetime cancer risk indicates that an individual experiencing the reasonable maximum exposure to a carcinogen has a 1 in 1,000,000 (one-in-one-million) chance of developing cancer because of site-related exposure. This is referred to as an "excess lifetime cancer risk" because it would be in addition to the cancer risk individuals face from other causes. EPA defines the acceptable cancer risk as ranging from one-in-one-million at the low end, to one-in-ten-thousand at the high end.

at a higher level (70 ppb) than for TCE based on its toxicity. At that time, the RAL for TCE was being exceeded by the groundwater sample results and was the basis for taking action.<sup>2</sup>

All residents are served by the Faribault municipal supply, which was found to contain trace levels of TCE and 1,2-DCE. Since one of the municipal wells was downgradient of the Nutting property, the Site was identified as a potential source of contamination in the municipal supply. However, as mentioned, no connection was ever found between the Nutting Site and the Faribault municipal groundwater contamination. The city of Faribault had been using one of its production wells located approximately one mile downgradient of the Nutting Site. A grant from the MPCA in 2004 enabled the city to abandon the well. This action eliminated the possibility for any TCE-contaminated water from the Site to enter the Faribault water supply, thereby removing any potential human health risks due to ingestion of contaminated potable water.

It should be noted that no contaminants of concern were ever detected in the compliance monitoring wells downgradient of the Nutting Site. Due to the fact that no private wells exist downgradient of the Nutting Site, and that groundwater levels meet the RAP goals at the Nutting property boundary, all risks to human health associated with TCE-contaminated groundwater from the Nutting Site have been eliminated. No ecological risks were ever identified at the Site and would not be expected to occur in the future due to previous remedial actions.

After further investigations of other sources affecting the municipal supply, MPCA and the MDH concluded that the source of TCE contamination in the municipal well was not from the Nutting Site.

## **V. Scope and Role of the Previous Remedial Action**

The Site cleanup was addressed by dividing the cleanup of contaminated soil and groundwater into two separate operable units (OU).

### **Operable Unit 1 - Soil**

The cleanup of the first Operable Unit (OU1) was achieved in 1980 when the contaminated soils and sludge from the onsite seepage pit at the west central area of the property were excavated and disposed of at an offsite facility. The excavation site was replaced with clean fill. This action was performed by the Nutting Company in response to the Notice of Noncompliance issued by

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<sup>2</sup> The MDH Health Risk Limits (HRLs) for TCE and other VOCs were set in the early 1990s, after the 1987 RAP cleanup goal of 50 ppb was set. The MDH did, however, use RALs as advisory levels before the HRLs were available. The RALs were used to predict adverse effects that may result from contaminated drinking water and were derived through conservative risk assessment methods. The HRLs have since replaced the RALs and are calculated using the same methodology as for the RALs; hence, the HRL for TCE was also set at 30 ppb. MPCA's policy is to use the HRL criteria and possible risk to humans to determine best management practices and action levels appropriate for each site.

the state. The area was then paved with concrete and is currently used as a loading dock/parking area. The removal of soil and subsequently installed concrete cap eliminated the possibility of 1) precipitation to enable the contaminants to migrate through the soil; and 2) access to the former seepage pit area by potential receptors.

The contamination found in the soils associated with the seepage pit was replaced with soil meeting residential clean-up levels; hence, this portion of the remedy provides long-term protection from contaminants leaching to the aquifer and from human health exposure to any cadmium, chromium, lead and residual TCE that may be in the source area. Because the actions taken at OU1 removed the principal threat waste (i.e., source contaminants that are highly toxic and/or highly mobile) and thus the potential for risks to human health and the environment, these remedial actions met EPA's cleanup criteria. Accordingly, EPA recommends that No Further Action be required at OU1.

## **OU2 – Groundwater**

The remedy selected for the second OU (OU2) involving groundwater is documented in the 1987 RAP, as the soil contamination had been addressed in under the 1984 Consent Order. The Nutting Company installed a groundwater pump-and-treat system to prevent the migration of contaminated groundwater from the Site. This was to ensure protection of the downgradient aquifers for future use as a potable water supply. The RAP clean-up level of 50 ppb set for TCE in the upper aquifer units ensured that the downgradient drinking water aquifer would be protected; hence, the TCE levels in groundwater could not exceed 50 ppb in the compliance wells. These wells were the closest wells, i.e., 350-400 feet downgradient of the Nutting property boundary. Several of the sentinel wells located on private properties were permanently sealed due to requests from property owners.

In January 2002, the MDH recommended that the HRL for TCE be changed from 30 ppb to five ppb. This value coincides with EPA's Maximum Contaminant Level (MCL) for TCE under the Safe Drinking Water Act. The MCL is the concentration of TCE in water determined to be safe for daily human consumption over a lifetime based on cancer and noncancer health risks to humans. The MCL is modified by the costs of detecting and removing the contaminant. In contrast, the HRL is arrived at similarly, but is purely based on health effects and does not factor in feasibility as does the MCL.

The MPCA prepared an amended RAP to modify groundwater clean-up goals for the Nutting Truck and Caster Site from 50 ppb of TCE to the present MCL/HRL action level of five ppb in 2003. MPCA issued a Final Close Out Report in July 25, 2003 indicating that the clean-up goals stated in the amended RAP had been achieved. The TCE in the downgradient groundwater compliance wells had been reduced to below five ppb or less over two successive samplings. The average concentrations in samples from the compliance wells have been five ppb since 1989 and 1992, respectively. Because groundwater throughout the aquifer at the Nutting Site meets the established action levels, EPA recommends that No Further Action be required at OU2.

## **VI. Community Participation**

In 2000, a Public Health Consultation for the Nutting Site was prepared by the Agency for Toxic Substances and Disease Registry. During the public meeting which followed the presentation, no questions or concerns came up from the public about the Site. In 2009, the MPCA, in conjunction with EPA, completed a fourth Five-Year Review of the Remedial Action (RA) at the Nutting Site. The purpose of the review was to evaluate the effectiveness and performance of the RA in order to determine if the RA was protective of human health and the environment. During the Five-Year Review, interviews were conducted with the former Nutting Site owners (i.e., the current property owners of Prairie Avenue Leasing Company). The property owners indicated that there is usually a three to five year turnover of leases and that their tenants have never expressed any concerns about the Nutting Site. This was confirmed by a current tenant.

## **VII. Scope and Role of Current Proposed Plan and Current Site Characteristics**

The TCE concentrations in the sentinel wells installed in the upper alluvial aquifers and the drinking water aquifer had rarely exceeded one ppb for TCE since the wells were installed in mid-1980 during the RI. Statistical analysis confirmed declining contamination trends in the groundwater both on and off the Nutting Site property. On January 27, 1998, the MPCA modified the groundwater sample collection frequency from semi-annual to annual in accordance with the revised monitoring plan. This indicated that the plume containment system was effective. In June 2004, a Revised Long Term Monitoring Plan was issued and outlined the criteria for shutting down the groundwater pump-and-treat system at the Nutting property, as well as the criteria and a contingency plan for restarting the groundwater treatment system, if warranted. The plan also revised the groundwater sampling frequency from annual to semi-annual in order to provide increased monitoring during the initial closure period of the groundwater pump-and-treat system. The plan also reassigned wells in the monitoring network so that the designated compliance wells were 900 feet downgradient of the Nutting Site boundary. This increased distance to the compliance wells was acceptable because all previous private well users in the area use the Faribault municipal water supply as their source of drinking water.

The revised groundwater clean-up goal for TCE of five ppb as outlined in the 2003 amended RAP has been achieved at the compliance monitoring wells downgradient of the property boundary. The compliance levels were never exceeded at the city's wells, and the protectiveness of the remedy to human health and the environment has been enhanced by actions taken by the city of Faribault and the MPCA within the past six years. This included the abandonment of the municipal well that was the closest downgradient well to the Nutting property. This action eliminated the possibility for any TCE-contaminated water from the Site to enter the Faribault municipal water supply, thereby removing any potential human health risks due to ingestion of contaminated drinking water. Since the shutdown of the groundwater pump-and-treat system in July 2004, natural restoration has removed residual low-level contaminants in the groundwater.

It should be noted that no contaminants of concern were ever detected in the compliance monitoring wells downgradient of the Nutting Site. Further, there are no private wells in the area and all potable water is supplied by the Faribault municipal water supply. Groundwater treatment to meet the RAP goals at the property boundary and the elimination of possible exposure pathways to contaminated groundwater has eliminated the risk to human health and environment previously associated with TCE-contaminated groundwater from the Nutting Site. Any residual trace levels in the groundwater would be removed by natural processes.

As mentioned, no further risks are posed to human health and the environment due to the soil removal and capping actions of OU1. Because the pump-and-treat actions taken at OU2 have removed the potential for risks to human health and the environment, these remedial actions met EPA's cleanup criteria. Accordingly, EPA recommends that No Further Action be required at OU2.

### **VIII. Summary of the Basis for No Further Action ROD**

There are no remedial action objectives under this proposed remedy as no further risks are present. All soil and groundwater cleanup goals have been achieved for the Nutting Site. Contaminated soils from an onsite disposal pit were excavated and disposed offsite. The disposal pit was filled with clean soil and covered by a concrete parking surface. Groundwater extraction wells were installed and operated for more than 15 years to control and remove contaminated groundwater. Long-term monitoring since the extraction wells were shut down have shown that groundwater contamination is now undetectable at the compliance monitoring wells. All monitoring and extraction wells have been properly abandoned at the Site, per MPCA approval. In both OUs, all appropriate MERLA response actions, which parallel CERCLA response actions, have been completed and long-term monitoring indicates that the Site does not pose a threat to public health or welfare or the environment.

The MPCA and EPA require that institutional controls (ICs) be implemented before delisting the Site from the state PLP. ICs are non-engineered instruments, such as administrative or legal controls, that help minimize the potential for exposure to contamination and protect the integrity of the remedy. Accordingly, an IC in the form of an Environmental Covenant and Easement was executed for the Site on October 28, 2008. The covenant provides additional and enforceable protection of public health and the environment as it provides that: 1) no wells can be installed on the property without the approval of the MPCA; 2) all monitoring and extraction wells have been properly abandoned as a condition of the Environmental Covenant; 3) the property owner is required to report to the MPCA on an annual basis that conditions at the Site remain consistent with land use prescribed in the zoning requirements; and 4) any proposed changes in land use require that the MPCA be notified to determine if the changes will adversely affect the protectiveness of the completed remedy.

The MPCA and EPA have determined that the remedy is protective of human health and the environment, and have recommended the Site be delisted from both the PLP and the NPL. On

June 1, 2009, the MPCA proposed deleting the Nutting Site from the PLP. Notice of the proposed deletion from the PLP was published in the State Register to solicit public comments. Copies of the public notices were also sent to parties interested in or affected by the proposed updates. The MPCA did not receive any comments pertaining to the proposed deletion of the Nutting Site from the State Superfund List. The Site was subsequently deleted from the State PLP in July 2009. EPA also plans to delete the Site from the NPL.

### **Share Your Opinions**

EPA encourages the public to comment on any aspects of the final groundwater control remedy for the Nutting Truck and Caster Site and will consider comments received during the public comment period. Your input helps EPA determine the best course of action. You may fill out and mail or fax the enclosed form, or use an electronic form on EPA's Website. Mailed comments must be postmarked by \_\_\_\_\_ (the last day in the comment period).

These comments will be addressed and evaluated in determining if No Further Action is appropriate as its final ROD for the Site. A summary of all comments received and EPA's responses will be contained in the Responsiveness Summary, which will be attached to the ROD. Comments may also be mailed to:

David Novak, Community Involvement Coordinator  
U.S. Environmental Protection Agency, Mail code SI-7J  
77 West Jackson Blvd.  
Chicago, IL 60604  
Email: [novak.david@epa.gov](mailto:novak.david@epa.gov)

If there is sufficient interest, EPA will hold a public meeting on this Proposed Plan so that the public can provide comments orally. Contact David Novak by \_\_\_\_\_ to request a meeting.

### **For More Information**

Background material for the Nutting Truck and Caster Site is available on EPA's Web page:

**<http://www.epa.gov/region5superfund/npl/minnesota/MND006154017.htm>**

An administrative record, which houses the legal documentation supporting EPA's proposal are available for review at the U. S. EPA Region 5 Office in Chicago at the 7th Floor Record Center. A copy is also at the Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota. For further information on the Nutting Truck and Caster Site, please contact:

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